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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

ERIKA MUSSER and BROOKE BENNETT,
on behalf of themselves,

Plaintiffs,

v.

CALIFORNIA DAIRIES, INC., a California
Corporation; UNITED DAIRYMEN OF
ARIZONA, an Arizona Corporation; KEITH
MURFIELD, an individual and
DOES 1 through 50, inclusive,

Defendants.

Case No. 1:20-cv-00899-AWI-SKO

**STIPULATION AND ORDER TO TAKE
JANUARY 7, 2021 SCHEDULING
CONFERENCE OFF CALENDAR
PENDING THE COMPLETION OF
MEDIATION AND PRIVATE
ARBITRATION**

(Doc. 19)

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UNITED DAIRYMEN OF ARIZONA and
6 KEITH MURFIELD

1
2 Plaintiffs Erika Musser and Brooke Bennett, Defendant California Dairies, Inc. (“CDI”),
3 Defendant United Dairymen of Arizona (“UDA”), and Defendant Keith Murfield (“Murfield”),
4 by and through their respective counsel of record, submit this Stipulation and [Proposed] Order to
5 Stay the January 7, 2021 Scheduling Conference Off Calendar (“Stipulation”) and respectfully
6 request the Court issue an Order consistent with this Stipulation.

7 WHEREAS, on September 3, 2020, the Court ordered the action stayed pending the
8 Parties’ completion of mediation and/or arbitration;

9 WHEREAS, the Court’s September 3, 2020 Order requires the Parties to file a joint status
10 report apprising the Court regarding the status of the matter within 30 days of completing
11 mediation and/or arbitration;

12 WHEREAS, the Parties will mediate this matter on December 15, 2020 with respected
13 mediator Vivien Williamson;

14 WHEREAS, should the matter not resolve at mediation, the Parties will separately
15 arbitrate this matter (ECF No. 16);

16 WHEREAS, the Parties do not intend to institute any arbitration proceedings unless they
17 are unable to resolve the matter at the December 15, 2020 mediation;

18 WHEREAS, after staying the action pending completion of mediation and/or arbitration,
19 the Court issued a Minute Order setting a Scheduling Conference for January 7, 2021 (which
20 means the Parties must submit a joint scheduling report by December 31, 2020, and must meet
21 and confer regarding same by December 17, 2020 – just two days after the mediation);

22 WHEREAS, the Parties will not have completed arbitration by the January 7, 2021
23 Scheduling Conference;

24 WHEREAS, based on the foregoing, the Parties agree good cause exists to take the
25 January 7, 2021 Scheduling Conference off calendar;

26 **IT IS HEREBY STIPULATED AND REQUESTED AS FOLLOWS:**
27
28

1. The January 7, 2021 Scheduling Conference is taken off calendar;

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2. Consistent with the Court's September 3, 2020 Order, within 30 calendar days of completing mediation and/or arbitration(s), the Parties shall jointly notify the Court regarding the conclusion of the matter.

Dated: November 20, 2020

JOHN LATTIN LAW
PATTERSON LAW GROUP, APC

By: /s/ Jennifer M. French (as authorized on November 20, 2020)
Jennifer M. French

Attorneys for Plaintiffs
ERIKA MUSSER and BROOKE BENNETT

Dated: November 20, 2020

LITTLER MENDELSON

By: /s/ Matthew E. Farmer (as authorized on November 20, 2020)
Matthew E. Farmer

Attorneys for Defendant
CALIFORNIA DAIRIES, INC.

Dated: November 20, 2020

JACKSON LEWIS P.C.

By: /s/ Douglas M. Egbert
Douglas M. Egbert

Attorneys for Defendants
UNITED DAIRYMEN OF ARIZONA and
KEITH MURFIELD

ORDER

Upon review of the parties' above-Stipulation (Doc. 19) and good cause appearing therefor, **IT IS HEREBY ORDERED AS FOLLOWS:**

1. The January 7, 2021 Scheduling Conference is hereby VACATED;
2. Within 30 calendar days of completing mediation and/or arbitration(s), the Parties SHALL jointly notify the Court regarding the conclusion of the matter, at which time the Scheduling Conference will be re-set, if appropriate.

IT IS SO ORDERED.

Dated: November 24, 2020

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE